THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24420 of 2005

Dated: 17.11.2005

Between:

P. Balakrishna, S/o. P. Mallaiah,
Andhra Pradesh Tourism Development
Corporation, Limited,

Himayatnagar, Hyderabad.

..... PETITIONER

AND

The Managing Director,
Andhra Pradesh Tourism Development
Corporation Limited,
Himayatnagar, Hyderabad and others.

.....RESPONDENTS

ORDER:

The petitioner is working as Joint Manager in Andhra Pradesh Tourism Development Corporation Limited, first respondent herein. Upto October, 2005 he was functioning as Joint Manager of Water Fleet at_Nagarjuna Sagar. Through orders dated 03.10.2005, he was transferred to Corporate Office at Hyderabad to work under the control of General Manager (Water Fleet). The petitioner states that he handed over the charge on 15.10.2005 to one Mr.Kondal Rao, and thereafter, shifted to Hyderabad. The first respondent issued proceedings dated 31.10.2005 placing the petitioner under suspension pending enquiry on the allegation that misappropriation of cash collected from group of medical college students of Guntur

has taken place while the petitioner was functioning at Nagarjuna Sagar. The petitioner contends that the team of the said students visited Nagarjuna Sagar on 23.10.2005 and by that time he was relieved from that place.

Sri J.R.Mohan Rao, learned counsel for the petitioner submits that there is absolutely no justification on the part of the first respondent in placing the petitioner under suspension. He contends that the allegation itself is very vague and at any rate, the petitioner was not functioning as Joint Manager at Nagarjuna Sagar on 23.10.2005.

Sri Nandigama Krishna Rao, learned Standing Counsel, who took notice at the stage of admission, submits that there is record to indicate that the petitioner actually handed over the charge only on 24.10.2005 and the question as to whether the petitioner had any role to play in relation to the misappropriation of amounts collected from group of medical college students can be known only in the disciplinary proceedings. He contends that the order, being the one for suspension pending enquiry, cannot be interfered with, at this stage.

The petitioner was placed under suspension on the allegation that an instance of misappropriation of amount collected from group of medical college students was noticed. There is dispute, as to the date of relief of the petitioner from Nagarjuna Sagar, consequent on his transfer through orders dated 03.10.2005. The question as to whether the petitioner continued to work at Nagarjuna Sagar on 23.10.2005 becomes significant, and it can be ascertained only after verification of records during the course of enquiry. This Court finds it difficult to interfere with the order of suspension at this stage. Inasmuch as the controversy is in a very narrow compass the enquiry itself can be directed to be concluded within short time.

For the foregoing reasons, the writ petition is disposed of directing the first respondent to complete the enquiry initiated against the petitioner within a period of two months from the date of receipt of a copy of this order. No costs.

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17.11.2005

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Note: Furnish CC in three days.

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